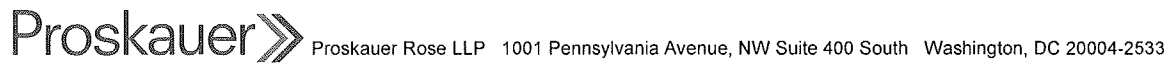


EXHIBIT B



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December 2, 2013

BY FEDEX AND E-MAIL

Robert J. Wiley
Jessica M. Cohen
Law Office of Rob Wiley, P.C.
1825 Market Center Blvd., Suite 385
Dallas, Texas 75207

Re: *Estrada v. Maguire Insurance Agency, Inc.*; Civil Action No. 12-604

Dear Mr. Wiley:

We write this letter and provide the attached documents in accordance with the Court's November 1, 2013 Order. As a preliminary matter, please find enclosed at Exhibit A an un-redacted version of MAG-000294, which was the claims metrics report attached as Exhibit 1 to the deposition of William Benecke. We have now Bates Stamped the un-redacted version as MAG-0000294-A and marked it "Confidential" pursuant to the Stipulated Protective Order. Because the original document is also difficult to read, for the sake of clarity and convenience, we have listed below the names and job titles of the twenty-four individuals listed on MAG-000294-A, which we also deem "Confidential" pursuant to the Stipulated Protective Order:

Robert Austin – Claims Supervisor
Steve Baldwin – Claims Trainee
Timothy Bauer – Claims Supervisor
Andrew Campbell – Claims Examiner
William Coumbe – Claims Examiner
Darren Cross – Claims Examiner
Kathleen Cupchak – Claims Examiner
Linda Deramo – Claims Examiner
Brian Devenny – Claims Examiner
Michael Estrada – Claims Examiner
Danielle Falcone – Claims Examiner
Rita Granroth – Claims Examiner
Timothy Griffin – Claims Examiner
Noelle Guillemin – Claims Examiner
Shakelia Hayes – Claims Examiner
Amanda Hernandez – Claims Examiner
Shanna Hernandez – Claims Examiner



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Malissa Ippolito – Claims Examiner
Vicki Manning – Claims Examiner
Craig Ollek – Claims Examiner
Jim Riebin – Claims Supervisor
Karen Schramm – Claims Examiner
Jeannine Shaskas – Claims Examiner
John Smith – Senior Claims Examiner

As previously discussed and indicated in the Court's Order, because only Claims Examiners who performed Fast Track Auto work are relevant to this action, the three Claims Supervisors and one Claims Trainee (classified by Maguire as non-exempt) who also performed Fast Track Auto Work are not relevant. Accordingly, consistent with the Court's Order, we produce the following information pertaining to the 19 employees (18 Claims Examiners and 1 Senior Claims Examiner, excluding Plaintiff Michael Estrada) identified on MAG-000294-A:

- (a) Exhibit B – copies of the company's job descriptions for the Claims Examiner and Senior Claims Examiner positions (Bates Stamped MAG-001676-1679 and MAG-001680-1683);
- (b) Exhibit C – case specific examples, taken from claims note entries for each of the 19 claims examiners, demonstrating how they exercised discretion and independent judgment in the course of their employment as claims examiners, and further establishing how they are not similarly situated to each other or to Mr. Estrada; and
- (c) Exhibit D – a CD containing the 2010-2012 claims note entries for the relevant 19 employees, in support of the case specific examples provided in Exhibit C. The entries are contained in Excel spreadsheet files corresponding to each year, and Bates Stamped MAG-001684-1686.¹

As you know from Mr. Estrada's claims notes (which we produced last year), a significant percentage of the claims note entries contain confidential personal and/or business information, such as phone numbers, account numbers, and addresses of both employees and customers. Because it would be a monumental task to identify and redact all of this information, and because the parties have an existing Stipulated Protective Order in place, we have designated all of the claims notes as "Confidential" pursuant to the Stipulated Protective Order (this includes those claims notes provided in Exhibit C). We also ask that, like with Mr. Estrada's claims notes, you agree that these additional claims notes are subject to the Stipulated Protective Order and that any future disclosure by either party of any pages or portions of the claims notes as exhibits or in legal filings will either include redactions of all phone numbers, vehicle identification numbers, account numbers, customer personal information, and confidential information, or be filed under seal (subject to court approval).

¹ Please note that some of the lengthier claims note entries in Exhibit D (and in Exhibit C) are cut off due to a character or word limit in the program (i.e. the specific claims note entry only captured a portion of the entire claims note because the employee's entry exceeded the character limit).

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Please feel free to contact us if you have any questions.

Sincerely,


Joshua F. Alloy